

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

CSX Transportation, Inc.)	
)	
Petitioner,)	
v.)	Docket No.:
)	
Village of Smithboro, Illinois, Pleasant Mound)	
Township Road District, Bond County, Illinois,)	
BNSF Railway Company and)	
Illinois Department of Transportation)	
)	
Respondents.)	
)	
Petition for an Order of the Illinois Commerce)	
Commission allowing the construction of a)	
connection between the CSXT and BNSF tracks)	
as well as two interchange tracks parallel to the)	
existing CSXT main line track at the grade)	
crossing at Main Street, also known as County 12,)	
inventoried as DOT #546514R (M.P. QS 186.2))	
and the grade crossing at King Road, inventoried)	
as DOT #546513J (M.P. QS 184.8), Village of)	
Smithboro, Pleasant Mound Township,)	
Bond County, Illinois)	

PETITION

TO THE ILLINOIS COMMERCE COMMISSION:

NOW COMES Petitioner CSX Transportation, Inc. by its attorneys, Rock Fusco & Connelly, LLC and MacCabe & McGuire P.C. and requests an Order by the Illinois Commerce Commission confirming and authorizing the following:

1. Petitioner CSX Transportation, Inc., (CSXT) is a railway company, which is authorized to do business in the State of Illinois as a common carrier by rail.
2. The Village of Smithboro (Smithboro) is a municipal corporation organized and existing under the laws of the State of Illinois.
3. Pleasant Mound Township Road District (Pleasant Mound) is a unit of government, a body politic of the State of Illinois.

4. Bond County is a unit of government, a body politic and corporate of the State of Illinois.

5. The Illinois Department of Transportation, Division of Highways (IDOT) is an agency of the State of Illinois.

6. BNSF Railway Company (BNSF) is a railway company, which is authorized to do business in the State of Illinois as a common carrier by rail.

7. Pursuant to the Illinois Commercial Transportation Law (625 ILCS 5/18c-7401 *et seq.*), the Illinois Commerce Commission (Commission) is entrusted with the authority to permit the construction by a rail carrier of any track across the grade of any public highway, street or road.

8. As part of its business, CSXT owns, maintains and operates trains over a mainline railroad track, which tracks run, generally in the northeast to southwest direction near and through Smithboro, Illinois.

9. As part of its business, BNSF owns, maintains and operates trains over a mainline railroad track, which track runs, generally in the north to south direction and crosses CSXT's mainline railroad track near Smithboro, Illinois (CSXT-BNSF Track Crossing).

10. The grade crossing at Main Street, also known as County 12, is currently formed by the intersection of the existing CSXT mainline railroad track and Main Street, also known as County 12, and is inventoried as DOT #546514R (M.P. QS 186.2). CSXT owns and maintains said railroad track and right of way. On information and belief, Main Street, also known as County 12 is an IDOT and/or Smithboro maintained route.

11. Main Street, also known as County 12, is a two-lane asphalt road, 20 feet wide, paved with gravel shoulders and has pavement markings. The present crossing surface is timber and asphalt, 35 feet wide, which surface-type and width will also be used for the proposed additional track. There is also a 10-foot timber and asphalt a pedestrian crossing surface at this crossing that is separated from the vehicular crossing surface by approximately 18 feet.

12. The grade crossing at King Road is currently formed by the intersection of the existing CSXT mainline railroad track and King Road and is inventoried as DOT #546513J (M.P. QS 184.8). CSXT owns and maintains said railroad track and right of way. King Road is maintained by Pleasant Mound Township Road District.

13. King Road is an unmarked rural oil and chip road, approximately 16 feet wide. The present crossing surface is timber and asphalt, 24 feet wide, which surface-type and width will also be used for the proposed additional track.

14. Petitioner seeks to construct a connection track in the northeast quadrant of the CSXT-BNSF Track Crossing to allow trains to move to/from the CSXT mainline track to/from

the BNSF mainline track, as well as two interchange tracks parallel to the existing CSXT mainline track. The construction will proceed in two phases; as follows:

Phase One. Construction of the connection of tracks between CSXT and BNSF as well as one interchange track parallel to CSXT's existing main line track. Construction would be completed by December 31, 2014. The Main Street grade crossing will have one additional track constructed, for a total of two tracks. The Main Street crossing will continue to be protected by mast mounted flashing lights, gates and a bell. The King Road grade crossing will have one additional track constructed, for a total of two tracks. The King Road grade crossing will continue to be protected by mast mounted flashing lights, gates and a bell; and

Phase Two. Construction of the second interchange track, to be completed upon the acquisition of the necessary property interests and permits. The King Road grade crossing will have an additional track constructed, for a total of three tracks.

Included within Phase Two, CSXT will relocate King Road, approximately 2700 feet to the East, which will allow interchange trains to park on the track without blocking the King Road grade crossing or breaking trains. The relocation of King Road will reduce the number of tracks from three to two at said grade crossing. The King Road grade crossing will continue to be protected by mast mounted flashing lights, gates and a bell.

15. The proposed construction and modifications to the crossings are depicted on the concept plan attached hereto as Exhibit A.

16. Presently, traffic on the CSXT mainline track is 13 trains per day, with one switching train and six daytime trains. Track speed is presently 60 MPH. As a result of the proposed project, train traffic is expected to increase by two trains per day. The track speed on the proposed connection and interchange tracks will be 25 MPH. All interchange tracks will be parallel to the main track. The smallest crossing angle for both grade crossings will be 60-90 degrees.

17. The cost of the proposed project will be borne entirely by CSXT and will not require any financial contribution by IDOT, the Grade Crossing Protection Fund or any other governmental entity.

18. The proposed connection and interchange tracks will be owned and maintained by CSXT, subject to its agreement with BNSF. Further, CSXT will continue to be responsible for the inspection and maintenance of the grade crossing protection devices and crossing surfaces.

19. The benefits of the proposed project to the public and area include the economic development potential of greater rail capacity, improved efficiency of rail operations and the ability for movement of trains between the CSXT and BNSF tracks. In addition to meeting the rail capacity and efficiency needs of the area, the public will also benefit from the elimination of grade crossing blockages at King Road with the completion of the King Road relocation.

WHEREFORE, Petitioner, CSX Transportation, Inc. prays that the Illinois Commerce Commission:

- (A) Enter an Order granting and authorizing the construction of one additional track parallel to the existing CSXT main line track at Main Street, also known as County 12, as well as two additional tracks at the current King Road crossing location and;
- (B) Enter an Order granting and authorizing modifications to the Main Street, also known as County 12, and the King Road crossings, including the relocation of the current King Road crossing approximately 2700 feet eastward from its existing location, as proposed in the Petition;
- (C) Enter an Interim Order granting and authorizing the Phase One proposed construction of the connection of tracks between CSXT and BNSF as well as one interchange track parallel to CSXT's existing main line track to be completed by December 31, 2014, at the Main Street grade crossing and the King Road grade crossing.
- (D) Find that the retention and modification of the current automatic grade crossing protection devices as reflected in the Petition are in the interest of the safety of the travelling public with respect to the at-grade crossings at Main Street, also known as County 12, and the King Road;
- (E) Enter an Order directing that the cost of the proposed modifications be borne by Petitioner; and

- (F) For such other and further relief as the Commission deems appropriate and just.

Dated this 10th day of October, 2014.

Respectfully submitted,

ROCK FUSCO & CONNELLY, LLC

By: /s/ Paul D. Streicher
One of the attorneys for
CSX TRANSPORTATION, INC.

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CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies under penalties as provided by law, that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

Date: October 10, 2014

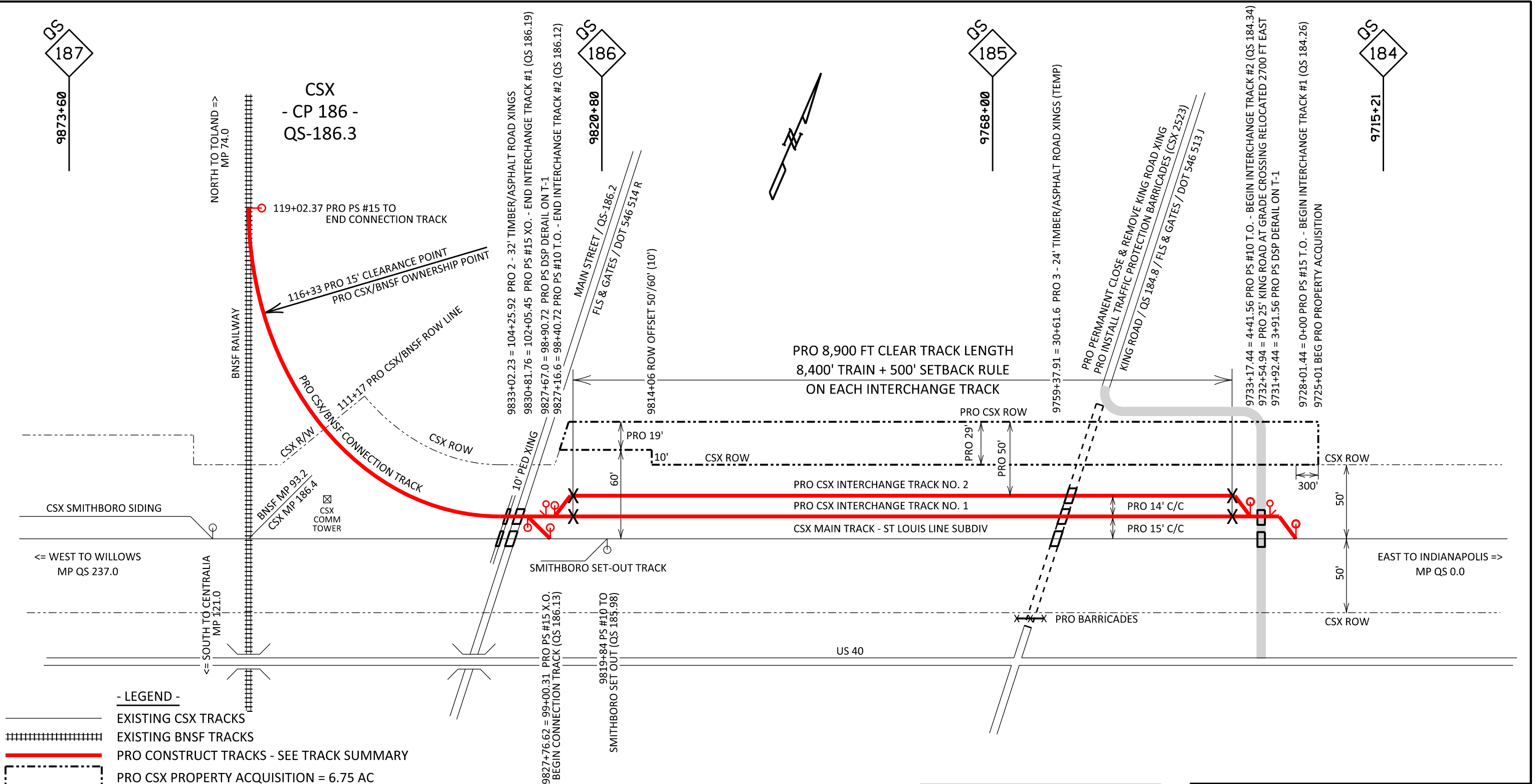


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EXHIBIT A



- LEGEND -

- EXISTING CSX TRACKS
- EXISTING BNSF TRACKS
- PRO CONSTRUCT TRACKS - SEE TRACK SUMMARY
- PRO CSX PROPERTY ACQUISITION = 6.75 AC
- PRO PUBLIC ROAD

TRACK SUMMARY		-OWN BY CSXT- LENGTH TO NO		-OWN BY BNSF- LENGTH TO NO		TOTAL LENGTH TO NO		CLEAR LENGTH	REMARKS
CSX/BNSF CONNECTION TRACK		1,737'	1 #15	265'	1 #15	2,002'	2 #15	-	1/2 #15 XO
CSX INTERCHANGE TRACK No. 1		10,206'	2 #15	-	-	10,206'	2 #15	8,900'	1/2 #15 XO
CSX INTERCHANGE TRACK No. 2		9,399'	2 #10	-	-	9,399'	2 #10	8,900'	
TOTALS		21,342'	5	265'	1	21,607'	6	17,800'	

TRACK SUMMARY NOTES:
1. PORTION OF CSX CONNECTION TRACK ON BNSF RIGHT-OF-WAY = 520'

- CONCEPT PLAN -
NOT TO BE USED FOR CONSTRUCTION

CSX VAL MAPS			
GIS	VAL SEC/MAP	MILEPOSTS	SCALE
V64082	V5-ILL/27	QS 182 - 186	1"=400'
V64087	V5-ILL/28	QS 186 - 190	1"=400'
840618400	V5-ILL/27.50	QS 184 - 185	1"=100'
840618500	V5-ILL/27.75	QS 185 - 186	1"=100'
840618600	V5-ILL/28	QS 186 - 187	1"=100'

ENGINEERING DEPARTMENT
DESIGN & CONSTRUCTION
CINCINNATI DISTRICT

REVISIONS		PRO CSX/BNSF CONNECTION TRACK AND INTERCHANGE TRACKS	
#1 PTS 8/12/14		SMITHBORO	
#2 ALH 8/18/14		BOND COUNTY ILLINOIS	
		DIVISION: GREAT LAKES SUBDIV: ST LOUIS LINE	
SCALE: NONE		VAL. SEC.	
DATE: 8-11-2014		SEE LIST	
DRAWN: PTS		DRAWING NO.	
CHECKED:		DE140804	
FILE:		SHEET 1 OF 1	